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Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KHANH KIM NGUYEN,

Defendant.

No. SA CR 22-88-DOC

STIPULATION REGARDING REQUEST FOR
(1) CONTINUANCE OF TRIAL DATE AND
(2) FINDINGS OF EXCLUDABLE TIME
PERIODS PURSUANT TO SPEEDY TRIAL
ACT

CURRENT TRIAL DATE: 09/6/22
PROPOSED TRIAL DATE: 06/13/23

Plaintiff United States of America, by and through its counsel of record, the United States Attorney for the Central District of California and Assistant United States Attorney Daniel S. Lim, and defendant Khanh Kim Nguyen ("Defendant"), by and through his counsel of record, Kenneth Reed, hereby stipulate as follows:

1. The Indictment in this case was filed on June 23, 2022. Defendant first appeared before a judicial officer of the court in which the charges in this case were pending on July 11, 2022. The

1 Speedy Trial Act, 18 U.S.C. § 3161, originally required that the
2 trial commence on or before September 19, 2022.

3 2. On July 11, 2022, the Court set a trial date of September
4 6, 2022.

5 3. Defendant is released on bond pending trial.

6 4. By this stipulation, defendant moves to continue the trial
7 date to June 13, 2023 and the status conference date to June 5, 2023.
8 This is the first request for a continuance.

9 5. Defendant requests the continuance based upon the following
10 facts, which the parties believe demonstrate good cause to support
11 the appropriate findings under the Speedy Trial Act:

12 a. Defendant is charged with violating: (1) one count of
13 21 U.S.C. § 1343: Wire Fraud; (2) two counts of 18 U.S.C.
14 § 1957; (Laundering Money Instruments); and (3) one count of 18 U.S.C.
15 § 1001(a)(2): False Statements. The government has produced to
16 defendant voluminous discovery, including reports, recordings, and
17 financial documents.

18 b. Defense counsel represents that he will not have the
19 time that he believes is necessary to prepare to try this case on the
20 current trial date.

21 c. In light of the foregoing, counsel for defendant also
22 represents that additional time is necessary to confer with
23 defendant, conduct and complete an independent investigation of the
24 case, conduct and complete additional legal research including for
25 potential pre-trial motions, review the discovery and potential
26 evidence in the case, and prepare for trial in the event that a
27 pretrial resolution does not occur. Defense counsel represents that
28 failure to grant the continuance would deny them reasonable time

1 necessary for effective preparation, taking into account the exercise
2 of due diligence.

3 d. Defendant believes that failure to grant the
4 continuance will deny him continuity of counsel and adequate
5 representation.

6 e. The government does not object to the continuance.

7 f. The requested continuance is not based on congestion
8 of the Court's calendar, lack of diligent preparation on the part of
9 the attorney for the government or the defense, or failure on the
10 part of the attorney for the Government to obtain available
11 witnesses.

12 6. For purposes of computing the date under the Speedy Trial
13 Act by which defendant's trial must commence, the parties agree that
14 the time period of September 6, 2022, to June 13, 2023, inclusive,
15 should be excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A),
16 (h)(7)(B)(i), and (h)(7)(B)(iv) because the delay results from a
17 continuance granted by the Court at defendant's request, without
18 government objection, on the basis of the Court's finding that: (i)
19 the ends of justice served by the continuance outweigh the best
20 interest of the public and defendants in a speedy trial; (ii) failure
21 to grant the continuance would be likely to make a continuation of
22 the proceeding impossible, or result in a miscarriage of justice; and
23 (iii) failure to grant the continuance would unreasonably deny
24 defendant continuity of counsel and would deny defense counsel the
25 reasonable time necessary for effective preparation, taking into
26 account the exercise of due diligence.

27 7. Nothing in this stipulation shall preclude a finding that
28 other provisions of the Speedy Trial Act dictate that additional time

1 periods be excluded from the period within which trial must commence.
2 Moreover, the same provisions and/or other provisions of the Speedy
3 Trial Act may in the future authorize the exclusion of additional
4 time periods from the period within which trial must commence.

5 IT IS SO STIPULATED.

6 Dated: July 18, 2022

Respectfully submitted,

7 STEPHANIE S. CHRISTENSEN
Acting United States Attorney

8 SCOTT M. GARRINGER
9 Assistant United States Attorney
Chief, Criminal Division

10
11 /s/
DANIEL S. LIM
12 Assistant United States Attorney

13 Attorneys for Plaintiff
14 UNITED STATES OF AMERICA
15

16 I am KHANH KIM NGUYEN'S attorney. I have carefully discussed
17 every part of this stipulation and the continuance of the trial date
18 with my client. I have fully informed my client of his Speedy Trial
19 rights. To my knowledge, my client understands those rights and
20 agrees to waive them. I believe that my client's decision to give up
21 the right to be brought to trial earlier than June 13, 2023 is an
22 informed and voluntary one.

23 /s/ via email authorization

7/18/22

24 KENNETH REED
Attorney for Defendant KHANH KIM
25 NGUYEN
26
27
28

Date